IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

NOTICE OF MOTION NO.703 OF 2006
IN
WRIT PETITION NO. 2696 OF 2004

Salikram Gajraj Singh .. Petitioner
v/s.
State of Maharashtra and another .. Respondents

Mr.Ashok Mishra for the petitioner.
Mr. M.D. Naik, Assistant Government Pleader for the respondents.

CORAM : R.M. LODHA &
SMT.NISHITA MHATRE , JJ.

DATED : 17TH JANUARY, 2007

P.C.

We heard the counsel for the applicant-original petitioner and the Assistant Government Pleader.

2. The Assistant Government Pleader informs us that in compliance of the order dated 25th October, 2004, the writ petition filed by the petitioner was treated as the representation and the prayer regarding grant of pension was considered but the petitioner was not held entitled to grant of pension and that on 14th December, 2004, the petitioner was intimated accordingly. In this view of the matter, in our view, the order dated 25th October, 2004 does not permit the petitioner to apply for revival of the writ petition which stood disposed of on 25th October, 2004. Liberty was

granted to the petitioner to revive the writ petition only in a situation where upon consideration of the petitioner's representation, some amount was found due and payable to the petitioner and that was not paid within four weeks from the date of decision. As indicated above, the respondents have not found any amount payable to the petitioner and rejected the petitioner's representation. If the petitioner is aggrieved by the said decision, he must pursue available remedy in accordance with law in challenging the same but there is no question of revival of the writ petition.

Notice of motion is dismissed.

(R.M.LODHA, J.)

(SMT. NISHITA MHATRE, J.)